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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION**

ARROW MIDSTREAM HOLDINGS, LLC
(and/or its subsidiaries)

Plaintiff,

vs.

Three Way, Inc.; Uintah Engineering, Inc.;
Parnell Consultants, Inc.; and RBI, LLP;

Defendants.

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:
: **DEFENDANT UINTAH**
: **ENGINEERING, INC.'S**
: **MOTION TO DISMISS**
:
: Civil Case No. 3:12-cv-00003
:
: Judge Ralph R. Erikson
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Uintah Engineering, Inc. ("Uintah"), by and through its undersigned counsel of record, and pursuant to Rule 12(b)(6), Fed. R. Civ. P., hereby respectfully moves to dismiss all claims against Uintah asserted by Arrow Midstream Holdings, LLC ("Arrow") in its Complaint filed in this action. The grounds for the Motion to Dismiss are that, accepting the factual allegations set forth in the Complaint as true, and considering all reasonable inferences that may be drawn from such facts in the light most favorable to Arrow, Arrow's claims against Uintah for indemnity are not claims upon which relief can be granted.

This Motion is supported by a Memorandum in Support of Motion to Dismiss filed concurrently herewith.

DATED the 12th day of March, 2012

SERKLAND LAW FIRM

s/ Joseph A. Wetch, Jr.

Joseph A. Wetch, Jr.